

REMARKS

By this amendment, claim 1 and the title of the invention have been amended,. Support for the amendment may be found throughout Applicant's originally filed specification. No new matter has been added. Accordingly, claims 1-11, 14, 15, 21 and 25 are currently pending.

Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

As a preliminary matter, Applicants' would like to express appreciation for the courtesies extended by Examiners Michael E. Keefer and Nathan Flynn to Applicants' representative during the telephonic interview conducted on October 24, 2007 (hereinafter the "Interview"). The substance of the interview is incorporated into the remarks below and constitutes Applicants' record of the interview.

The title of the invention was objected to for allegedly being not descriptive. Applicants traverse this objection for at least the following reasons.

However, solely in an effort to expedite prosecution, Applicant has amended the title of the invention to recite "PUSH NETWORK HAVING CONTENT IDENTIFYING PACKETS."

Accordingly, Applicants request the withdrawal of the objection to the title of the invention.

Claims 1-3 and 11 were rejected under the judicially created doctrine of obvious-type double patenting as allegedly being unpatentable over claims 1-3, 8, 9, 10-11 of U.S. Patent No. 6,756,283. Applicants traverse this rejection for at least the following reasons.

Without agreeing or acceding to the propriety or the merits of the rejection and while preserving the right to distinguish over the cited reference, Applicants have submitted a Terminal Disclaimer herewith.

Accordingly, Applicants respectfully request that the rejection of claims 1-3 and 11 under the judicially created doctrine of obviousness-type double patenting be withdrawn.

Claims 1-11, 14-15, 21 and 25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,545,982 to Murthy ("Murthy") in view of European Patent Application No. EP 0915598 to Bushmitch ("Bushmitch"). Applicants traverse this rejection for at least the following reasons.

Independent claim 1 recites, *inter alia*, the features of:

means within said information providing terminal for adding information to a packet;

means within said information providing terminal for adding to the packet a content identifier or both the content identifier and a category identifier;

wherein the information provided by said information providing terminal is assigned a unique content identifier or both the content identifier and the category identifier for identifying the category to which the content of the information in the packet belongs.

For example, as discussed by Applicants' representative during the Interview, neither the cited portion of Murthy nor Bushmitch make any mention or suggestion of "... adding to the packet a content identifier or both the content identifier and a category identifier; wherein the information provided by said information providing terminal is assigned a unique content identifier or both the content identifier and the category identifier for identifying the category to which the content of the information in the packet belongs." While there was a disagreement among the participants over whether claim 1 (as it previously stood) read on the prior art, "... the Examiner suggested an amendment clarifying that the content identifier is added after the initial construction of the packet may overcome the art of record ..." [Interview Summary].

Without agreeing or acceding to the propriety or the merits of the rejection, and solely in an effort to expedite prosecution, Applicants have amended independent claim 1, as suggested by the Examiner.

Accordingly, Applicants submit that the cited portions of Murthy, Bushmitch, or a proper combination thereof fail to disclose or render obvious each and every element recited by claim 1. Claims 2-11, 14-15, 21 and 25 depend from claim 1, and are patentable for at least the same reasons provided above related to claim 1 and for the additional features recited therein. Thus, Applicants respectfully request that the rejections of claims 1-11, 14-15, 21 and 25 under 35 U.S.C. § 103(a) over Murthy in view of Bushmitch should be withdrawn and the claims be allowed.

Conclusion


All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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